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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,037	05/23/2000	Roy Lou	5244-0128-2	4372

22850 7590 10/02/2007  
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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10/02/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09576037	5/23/00	LOU, ROY	5244-0128-2

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

**EXAMINER**

Stephen M. Brinich

ART UNIT	PAPER
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2625

20070921

**DATE MAILED:**

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner for Patents**

<b>Office Action Summary</b>	<b>Application No.</b> 09/576,037	<b>Applicant(s)</b> LOU, ROY	
	<b>Examiner</b> Stephen M. Brinich	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-6 & 8-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubo et al (US 5828461).

Re claims 1, 8-11, 25, & 30-32, Kubo et al discloses (Figures 9A-10 & 12 and column 22, line 25 - column 25, line 30; particularly column 22, lines 25-33 and column 24, lines 18-33 & 53-56) a print control system in which a print dialog box 113 is displayed immediately following the receipt of a print request (from "PRINT SETTING" button 95 in Figure 9A) with options for displaying and modifying print settings, including an indication of a paper selection, and a control for confirming and activating (the "SETTING" button 115) the print job using the print job settings as they are currently set. When "SETTING" button 115 is activated, Kubo et al discloses (column 25, lines 52-64) an automatic layout setting operation that includes an indication of the paper size (allowing it to be "changed as occasion demands").

After confirming the print job, at least one printing information dialog box (Figures 9A-10, items 90 & 100; column 22, lines 53-67; column 25, lines 15-23) including an indication

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of a paper selection is displayed. This box displays a modifiable synopsis to direct the processing of the print job.

Re claim 2, the print dialog box includes a printer selection ("AUTOMATIC" or "MANUAL") and a scale size ("RESOLUTION").

Re claim 3 & 27, the print dialog box includes a "CANCEL" button to cancel the print job.

Re claims 4-6, 13-15, 18-24, 25-27, 34-36, & 39-45, the printing information dialog box has "PRINT" and "CANCEL" buttons to respectively enable and activate (either for a first time or for an additional instance readable on "resubmission") and cancel the print job.

Re claim 12, 16, 19, 33, 37, & 40, the printing information dialog box enables the editable selection of a paper size and color tone, which is readable upon the (not further described) "print selection device".

Re claim 17-24, 28-29, & 38-45, the "resubmission" of a print job by repeating the steps of submitting the original print job again follows the described steps (displaying the print dialog box again, selecting settings in the new print dialog box, confirming the settings by selecting the "OK" button in the print dialog box, displaying the printing information dialog box again, selecting the output file in the printing

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information dialog box, and activating the print job by selecting the "OK" button in the printing information dialog box).

***Claim Rejections - 35 USC § 103***

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al.

Re claim 7, Kubo et al teaches the display of a list of print settings as described above, but does not teach or suggest the display of the entire recited list of specific print property settings (including all of printer name, printer ports, timeout settings, color management, output printer settings, banner settings, paper selection, document size, print size, paper type, printer tray, print resolution, edge smoothing flags, toner savings flag, graphics configuration, accessories, statistics, and watermark properties).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to select this particular list of print properties for display.

The suggestion/motivation for including these specific print property settings rather than others would have been to enable user control and monitoring of those particular settings while minimizing interface clutter.

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Therefore, it would have been obvious to use this specific list of displayed print properties to obtain the invention as specified in claim 7.

***Response to Arguments***

4. Applicant's arguments (7/23/07 Remarks: page 12, line 12 - page 15, line 4) have been fully considered but they are not persuasive.

Re claim 1, Applicant argues (7/23/07 Remarks: page 12, line 12 - page 14, line 3; particularly page 13, lines 4-9) that Kubo et al does not disclose an arrangement in which print setting can be changed from actions taken within the print dialogue box.

However, Applicant's arguments are directed to the control box 90 of Kubo et al Figure 9A. Examiner's currently outstanding rejection is based upon a reading of the recited "print dialogue box" on the control box 113 of Figure 12. As set forth above, an action within this control box (selecting the "SETTING" button 115) is an action that permits changing of print settings.

Re claim 1, Applicant argues (7/23/07 Remarks: page 14, lines 4-8) that claim 1 as presently amended differs from the Kubo et al system in the case where the "ADD" button is selected.

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As Examiner's currently outstanding rejection does not rest upon a reading of Kubo et al as it operates in this case, this argument does not bear upon the validity of this rejection.

Re claim 1, Applicant argues (7/23/07 Remarks: page 14, lines 9-13) that only the "PRINT" button of Figure 9A operates to confirm the print job.

As described above, Examiner has provided a reading of this operation upon the "SETTING" button 115 of Kubo et al.

Re claims 1-45, Applicant argues (7/23/07 Remarks: page 15, lines 3-6) that the same arguments raised re claim 1 apply to claims 9, 25, & 30 as well and that dependent claims 2-8, 10-24, 26-29, & 31-45 are allowable for the same reasons as the independent claims (1, 9, 25, & 30) from which they depend.

Applicant's arguments re claim 1 and applied to claims 2-45 in this manner have been addressed above.

#### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this



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action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

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If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Stephen M Brinich  
Examiner  
Technology Division 2625

smb *SMB*  
September 21, 2007



*THOMAS D.*  
~~TO~~ *ICE*  
TECHNOLOGY EXAMINER